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Intellectual Property Administration
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Attorney Docket No.: 200309365-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Sherif Yacoub	Confirmation No.:	2032
Serial No.:	10/699,264	Examiner:	Phan, Joseph T.
Filed:	October 30, 2003	Group Art Unit:	2614
Title:	SYSTEM AND METHOD FOR CALL CENTER DIALOG MANAGEMENT		

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

The Notification of Non-Compliant Appeal Brief dated August 21, 2009 states that the Appeal Brief: (i) fails to contain a concise statement of each ground of rejection presented for review; (ii) fails to present an argument under a separate heading for each ground of rejection on appeal; and (iii) fails to present an argument for each of the independent claims 11, 19 and 21.

Turning to the first statement in the Notification of Non-Compliant Appeal Brief that (i) the Appeal Brief fails to contain a concise statement of each ground of rejection presented for review, *Section (6) Grounds of Rejection to be Reviewed on Appeal* has been amended to clarify that while in the Final Action dated July 11, 2009, claims 18 and 19 were rejected as being directed to non-statutory subject matter and that independent claim 1-16 were rejected under U.S.C. §102(e) as being anticipated by Comerford et al. (US Patent No. 6,748,361), all of the rejected claims are not being appealed in this Appeal Brief.

More specifically, only the rejection of claims 19, 10-16, 19 and 21 are being appealed in the Appeal Brief. In the Final Action dated July 11, 2009 claim 19 stands rejected as being unpatentable under 35 U.S.C. §101(a) as being directed to non-statutory subject matter and claims 10-16, 19 and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Comerford et al. (US Patent No. 6,748,361). *Section (6) Grounds of Rejection to be Reviewed on Appeal* states that the ground of the rejection to be reviewed on Appeal are:

a) Whether claim 19 is unpatentable under 35 U.S.C. §101(a) as being directed to non-statutory subject matter.

b) Whether claims 10-16, 19 and 21 are unpatentable under 35 U.S.C. §102(e) as being anticipated by Comerford et al. (US Patent No. 6,748,361).

A revised *Section (6) Grounds of Rejection to be Reviewed on Appeal* is attached. Accordingly, Appellant respectfully submits that *Section (6) Grounds of Rejection to be Reviewed on Appeal* is consistent with the grounds of rejections as stated in the Final Action dated July 11, 2009.

Turning to the second statement in the Notification of Non-Compliant Appeal Brief that (ii) the Appeal Brief fails to present an argument under a separate heading for each ground of rejection on appeal.

The first ground of rejection to be reviewed on Appeal as indicated in *Section (6) Grounds of Rejection to be Reviewed on Appeal* is "a) Whether claim 19 is unpatentable under 35 U.S.C. §101(a) as being directed to non-statutory subject matter." The corresponding heading for this ground of rejection appears on page 6 in *Section (7) Arguments* of the Appeal Brief: "I Rejection of claim 19 under 35 U.S.C. §101(a) as being directed to non-statutory subject matter"

The second ground of rejection to be reviewed on Appeal as indicated in *Section (6) Grounds of Rejection to be Reviewed on Appeal* is "b) Whether claims 10-16, 19 and 21 are unpatentable under 35 U.S.C. §102(e) as being anticipated by Comerford et al. (US Patent No. 6,748,361)." The corresponding heading for this ground of rejection appears on page 7 in *Section (7) Arguments* of the Appeal Brief: "II Rejection of claims 10-16, 19 and 21 under 35 U.S.C. §102(e) as being anticipated by Comerford et al. (US Patent No. 6,748,361).

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Accordingly, Appellant respectfully submits that an argument under a separate heading has been presented for each ground of rejection on appeal in the Appeal Brief.

Turning to the third statement in the Notification of Non-Compliant Appeal Brief that the Appeal Brief fails to present an argument for each of the independent claims 11, 19 and 21, Appellant respectfully submits that arguments for independent claims 11, 19 and 21 are presented on pages of 9-10 *Section (7) Arguments* of the Appeal Brief.

Respectfully submitted,

Dated: September 21, 2009

By



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(6) Grounds of Rejection to be Reviewed on Appeal

In the Final Action dated July 11, 2009, claims 18 and 19 were rejected as being directed to non-statutory subject matter. Independent claim 1-16 were rejected under U.S.C. §102(e) as being anticipated by Comerford et al. (US Patent No. 6,748,361). All of the rejected claims are not being appealed in this Appeal Brief.

The rejection of claims 10-16, 19 and 21 are being appealed. In the Final Action dated July 11, 2009 claim 19 stands rejected as being unpatentable under 35 U.S.C. §101(a) as being directed to non-statutory subject matter and claims 10-16, 19 and 21 stand rejected under 35 U.S.C. §102(e) as being anticipated by Comerford et al. (US Patent No. 6,748,361). The following grounds of rejection to be reviewed on Appeal are based on the grounds of rejections as stated in the Final Action dated July 11, 2009.

a) Whether claim 19 is unpatentable under 35 U.S.C. §101(a) as being directed to non-statutory subject matter.

b) Whether claims 10-16, 19 and 21 are unpatentable under 35 U.S.C. §102(e) as being anticipated by Comerford et al. (US Patent No. 6,748,361).